



Hearing of Charge Against J. H. Martin, Accused of Being One of Blackhanders

DETECTIVE EDWARDS GIVES HIS OWN STORY OF BEING SHOT DOWN

Wounded Pinkerton Is First Witness Called to Describe the Battle on West Seventeenth Street Early Sunday Morning, November 9—He Tells of the Sensation of Being Riddled With Bullets—How He Fired at the Bandits—Joseph Francis From Morgan, on the Witness Stand, Said He Connected Martin Up With the Blackhand Crimes When He Saw the Wounded Man's Picture in the Standard

Another chapter in the history of the blackhand atrocities in Ogden was opened this morning at 10 o'clock at Pleasant View, when Justice of the Peace Reuben T. Rhee called court and announced to the attorney for the state should proceed with the preliminary hearing of Joseph H. Martin, charged with assault with intent to murder David Edwards November 9, 1913.

The Pleasant View amusement hall was filled with spectators and witnesses. Conspicuous among the latter were Ralph Bristol, R. C. Porter, Chief Norton, Sheriff De Vane, and Postmaster McGee. The only ladies present were the prisoner's wife and aunt.

J. H. Martin, the accused, sat by the side of his attorney, Joseph Chee, and A. C. Gordon, with his hands folded on his knees. He made a good appearance—light of face, with black hair and a smile on his face as he greeted some of his acquaintances as they arrived and nodded to him. The prisoner has large steel blue eyes, and outside of the fact that he paid strict attention to the statements of the attorneys, he did not seem to act as if he realized that he stood charged with one of the most serious crimes recognized by the laws of the state of Utah. Those who know Mr. Martin say he looked a trifle paler than usual. He wore a clean white collar and a neat necktie of lavender color. The room was rather cool and the prisoner, like most of the new paper men, wore his overcoat which had a large brown velvet collar.

Judge Rhee occupied a chair near the stage directly opposite the prisoner, and the witnesses when testifying sat between the judge and the prisoner. Judge Rhee makes a splendid appearance, dressed in a neat business suit, paper and pencil in hand, making notes of important evidence. The judge has black hair streaked with gray, brown mustache and dark eyes. He watches the movement of the lips of the witnesses and he hears every word. The judge appears to fully recognize by his action the seriousness of the charges made against the prisoner.

Dave Edwards, the man who was shot on West Seventeenth street, was the first witness. He is a tall, slim man. His face is somewhat thin and weak from recent illness; he is smooth shaven with large nose, black hair, dark blue eyes, large forehead dressed in a brown suit, brown shirt and black tie. He carried a cane to aid him in standing and walking, not having fully recovered from the buck shot sent into his body.

David Jensen, county attorney dressed in a black suit, his gray hair shocked a La Follette, started the proceeding by examining Dave Edwards. Mr. Jensen appeared serious and in a solemn manner took up his duties and resembled more a preacher or a funeral than an attorney-at-law. District Attorney Davis was present to give the county attorney help, if needed.

Joseph Chee, the attorney of the accused, wore a determined look on his face and bit his words off sharply. His first move was to order the unengaged witnesses from the room so they could not hear what the others were saying on the witness stand.

Said one spectator, "Chee starts in like a prizefighter who wants to take one at a time and who realizes there are many against him."

The scene in the amusement hall is solemn and everybody present seemed to feel the meaning of the awful crime charged, excepting the prisoner who apparently was not as much interested as the others, as he frequently smiles as his attorney insists that the witness shall answer such question in a dozen different ways.

From present indications, the examination will be a long drawn out contest. The prosecuting witnesses seem to be a bit larger to choke off the superfluous and repeated questions of Attorney Chee, but the latter is like one floundering in midair, not knowing what evidence may be presented. From the newspapers at the scene, it has been learned that a chain of circumstantial evidence has been woven around his client and he is trying to break the chain by finding weak spots in the evidence presented.

The little amusement hall at Pleasant View, which is under the same roof as the hall where divine worship is entered into by the good people of that district each Sunday afternoon, and where in the early morning the Sunday school children are taught the higher virtues, was well filled with curious spectators, among them some of the more influential business men of the state, eager to know whether it is possible that a man of long residence in the community could commit such an offense against the peace and dignity of the state.

The building overlooks the scene of the alleged offense and is practically only a stone's throw to the place where on Sunday morning, November 9, 1913 was held up and the passengers robbed. From Pleasant View meeting house are plainly visible Rees station on the Southern Pacific where in the first days of 1911 two bandits robbed the Overland passengers of jewelry, and murder was committed.

The panorama includes Seventeenth street, of this city, where the battle of November 9, between the blackhanders and Detective Edwards, went out to capture them at the peril of his life, was fought; also Canyon road where another battle occurred in 1912, in which a number of shots were exchanged and \$1000 in gold was taken possession of by the bandits. Even the home of L. R. Eccles, in Eccles court in Ogden, up on which an attempt at destruction was made, is plainly visible from the place of preliminary hearing.

Yet "Joe" Martin, who is accused, cannot be adjudged guilty of those terrible offenses until a jury of his peers has heard all the evidence and passed judgment against him.



J. H. MARTIN

J. L. Hobson, Pinkerton Detective David Edwards, railroad employee William Cook and Jed Abbott, L. R. Eccles, Dr. Henry Lee, Joseph Francis and David Edgington.

The complaint was sworn to by Chief W. I. Norton of Ogden City, Utah upon oath complains and states that Joseph Henry Martin, whose other and true name is to complainant unknown, of Ogden City, Utah, did, on the 9th day of November, A. D. 1913, at Ogden City, in the county of Weber, and state of Utah, commit the crime of assault with intent to commit murder, in the manner following, to-wit:

"The said Joseph Henry Martin, on the said 9th day of November, A. D. 1913, at Ogden City, in the county of Weber, and state of Utah, did, then and there, wilfully, unlawfully and feloniously, with a certain gun, the true kind, calibre, gauge, and make of which is to complainant unknown, then and there loaded with gunpowder and ball bearings, the same then and there being a dangerous and deadly weapon, which he said Joseph Henry Martin then and there had and held in his hand, feloniously make an assault on one David Edwards, whose true name is to complainant unknown, and did, then and there, wilfully, unlawfully and feloniously shoot off and discharge the said gun, the true kind, calibre, gauge and make of which is to complainant unknown, at, upon, and into the body of the said David Edwards, thereby striking the said David Edwards with a number of the ball bearings, the true number being to complainant unknown, with which the aforesaid gun was loaded, thereby grievously injuring, wounding, and bruising the said David Edwards, with the intent then and there, on him the said Joseph Henry Martin, wilfully, unlawfully, maliciously, feloniously, and of his deliberate premeditation, to kill and murder the said David Edwards; against the peace and dignity of the state of Utah and contrary to the form of the statute in such case made and provided."

The Proceedings.

Before beginning the examination, on motion of Attorney Joseph Chee, for the defendant, Justice Rhee excluded all the witnesses for the state and placed them in the care of Constable George Saunders. The county attorney took no objection to the order but suggested that the sheriff of the county take charge of the witnesses. Attorney Chee explained to the court that the constable, is the regular officer of the justice court and that he should not be deprived of official honor. The justice agreed and the constable was recognized as the officer of the court.

Clarence Cramer of Salt Lake was sworn to act as official stenographer at the request of County Attorney David Jensen. Mr. Jensen was assisted in conducting the hearing by District Attorney John C. Davis, Mr. Jensen examining the witness David Edwards whose testimony was concluded during the forenoon.

Preliminary to telling the story of the battle with the bandits on West Seventeenth street, November 9, Detective David Edwards stated that he was 51 years old and had been in the detective service for the Pinkerton agency a number of years, during which time he had operated in different parts of the country. Recently he had been in Salt Lake and Bingham and had been sent to Ogden

with a fellow detective, Carl Blair, to follow up the blackmail affair with the Eccles and Bristol families.

Mr. Edwards showed the effects of the battle and said to the court that he was weak and not feeling very well, requesting before the conclusion of the cross examination that the attorney cut his questions short that he might get away and return to the hospital for further treatment. He talked plainly but in a trembling tone of voice and he was quite ill at ease a number of times and seemed to be nervous. The palor of his face indicated that he is not a well man. However, he remembered vividly the events of the morning of November 9 up to the time he was filled with the steel ball-bearing bullets from the guns of the bandits.

Answering the questions propounded by County Attorney Jensen, Mr. Edwards stated that he came to Ogden on the evening of November 8, in company with Carl Blair. They were met at Clinton by R. E. Bristol who conveyed them to the L. R. Eccles home where a letter had been received asking for the delivery by Mr. Eccles of money to certain persons on West Seventeenth street. He said that he retired to a room upstairs in the Eccles home quite early in the evening and that he heard the telephone ring at about 2:30 in the morning. Mr. Eccles answered Mr. Edwards, in the meantime dressed himself and, coming down stairs, Eccles told him that the bandit had delivered the money where he was to deliver the money and preparations were immediately made with which dress Edwards in Mr. Eccles' clothes as a disguise, as the bandit had instructed that none but Mr. Eccles was to deliver the money.

The witness said that he put on Mr. Eccles' trousers, hat and overcoat and then proceeded with Detective Blair by single rig to Washington avenue and Seventeenth street where, it had been ordered by the bandits, the horse and buggy should be fastened and the one carrying the satchel containing the money should proceed on foot to the western end of the street. Edwards said that Blair rode in the bottom of the buggy and was covered with a robe to conceal him. The witness drove the rig to the point where it was to be tied and left Blair in the rig, as he proceeded on his mission that came near costing him his life.

He carried a sawed-off shotgun under his coat that hung from his shoulder by a copper wire. The gun could be instantly thrown into position. He also carried two six-shooters in his right coat pocket, his right hand being on one of them until the fight began when he dropped it in his pocket and used his hands firing the shotgun.

Edwards said that he had proceeded along Seventeenth street to a point near the McChesney home the command came, "Hold on there." Just as he turned to speak, he was fired upon. The witness said that he carried the satchel containing the money in his left hand.

PROGRESSIVES LAYING PLANS

Party Members Meet to Select Candidates and Arrange for Complete Ticket.

KEY NOTE SOUNDED

Amalgamation With Old Parties Opposed and Victory at Elections Predicted.

Chicago, Ill., Dec. 15.—Representative members of the Progressive party from nearly every county in Illinois gathered here today to confer on the party's plans for the future with particular reference to the elections next year.

Before the meeting adjourns it is planned to select a candidate for the United States senate and to perfect plans for complete tickets in every county and in every senatorial and congressional district.

The day's program called for an executive session of the state central committee, a reception and luncheon at the Chicago Progressive club, a conference of county chairmen with the state central and Cook county committeemen, a reception to visiting women at the Progressive club and a rally at night.

The keynote was sounded by Raymond Robins, chairman of the state central committee, who declared against amalgamation with either of the old parties and predicted victory in the spring elections. This sentiment was echoed in a letter sent by former Senator Albert J. Beveridge of Indiana.

A plan to finance the routine business of the party in the state was adopted, calling for a per capita assessment of 10 cents a year based on the vote for Dean Franklin who ran for lieutenant governor last year. The collection will be made by counties, the county chairmen being responsible. Medill McCormick estimated that the revenue thus raised would be between \$10,000 and \$20,000 a year.

Des Moines, Ia., Dec. 15.—The Progressive party in Iowa will hold a state-wide conference in Des Moines on January 8, according to an announcement by local and state leaders here today.

There were occasional flashes of humor in the address to the Progressives made by H. J. Allen, publisher of the Wichita (Kansas) Beacon.

Allen's Humorous Speech.

"Our Republican friends tell us that we should come back and help them lick the Democratic party," he said. "To hear those leaders talk, you would think that licking the Democratic party was the chief aim of free government."

"And yet that task has been performed more often than any other in American political history. It has never been referred to as a difficult task. It has fallen invariably in the pathway of infrequent Democratic victory and its regular coming has traveled as swift on the heels of opportunity as the constitution would allow."

The Democratic party has been regarded in America as a chastening rod periodically to be invoked for national sins of Republican leaders. A Democratic administration has been the penitential period, sack cloth and ashes.

Leaders Without Followers.

"The Republican leaders, made arrogant by long control, forgot their source of power last June and became the most solitary objects in political life, to wit, leaders without anybody to follow them."

Rather than deliver the Republican party over to the Progressives, which held a majority, they deliberately scuttled the party in its last national convention.

"They make public confession of this fact today by promising the Progressives they will never do it again if the Progressives will just come back and help lick the Democrats."

Tired of Armageddon.

"One of our New York leaders, Mr. Prendergast, who recently landed the good job of comptroller of New York, by aid of Progressive votes, declares that it is now time to go back. The Progressive party has fulfilled its mission so far as Mr. Prendergast is concerned. He says he's tired of standing at Armageddon, and since the Progressives have given him a comfortable place to sit down, he declares his intention of taking advantage of it; he advises all Progressives to do likewise. With characteristic thoughtlessness he forgets that his New York followers were so busy providing for his comfort that they neglected to provide seats for themselves. Since Mr. Prendergast stood on the platform at Orchestra Hall in this city and professed his never-yielding loyalty to the Progressive cause, nothing has happened to change the rather accurate description Mr. Prendergast then gave of the arrogance and injustice of the Republican leaders as represented by the national committee. These same leaders are yet in control, more strongly entrenched than ever."

Washington, Dec. 15.—Progressives

in the house adopted a resolution today declaring that they view with regret the death bed repentance of the Republican leaders for the recent sins of the Republican national convention.

"But," it added, "we call attention to the fact that reform of the national convention does not touch the fundamental differences between the Progressive and Republican parties and that in all probability presidential candidates hereafter will be nominated not by convention, but by direct vote of the people."

"We accept with profound gratitude President Wilson's endorsement of the progressive principle of direct presidential primaries and pledge to him our support."

MURDERER IS HANGED BY MOB

Slayer of North Dakota Family Meets With Summary Vengeance.

JAIL BATTERED DOWN

Prisoner Lynched and Body Riddled With Bullets by Enraged Men.

Williston, S. D., Dec. 15.—Clevie Culbertson, recently convicted of murdering three members of the Dillon family at Ray, N. D., was taken from the Williston county jail by a mob today and hanged from a bridge near here.

Culbertson was lynched shortly before daybreak. The lynching party, which consisted of a large number of masked men, battered down the doors of the jail with a heavy iron pipe. Despite the warnings of Sheriff Erickson, the mob rushed into the jail, tore the doors off the cell occupied by the prisoner and dragged him out of the building. He was taken to the Middle Muddy, a mile and a half from town, where he was hanged from the wagon bridge spanning the stream. When the body was cut shortly afterward, it was found to have been riddled with bullets.

Pleas for Mercy.

Culbertson while being taken from jail, pleaded for mercy, but was met with the reply:

"You did not show any mercy to the Dillons and we will show none to you."

Policeman Luciford, and James Johnson, a laborer, attracted by the shouts of the mob, attempted to interfere and were badly beaten.

After the conviction of Culbertson last week, which carried a prison sentence for life, there was considerable dissatisfaction expressed because of death penalty had not been imposed, and threats of lynching were freely made.

The mob, which was thoroughly organized, is believed by the sheriff to have come from the vicinity of Ray, where Mr. and Mrs. D. T. Dillon and their daughter were murdered on the night of October 15. There was no known cause for the killing of the Dillons. Culbertson received his formal sentence yesterday and was to have been taken to the penitentiary today.

THOUSANDS LINE UP BEFORE BANK

Mexican Depositors Fear Soundness of Banco Central—Bankers Deny Rumors.

Mexico City, Dec. 15.—Thousands of persons formed lines today at the doors of the Banco Central. It was the only bank in the city that had not refused to redeem state bank notes. Practically every bill in the city issued by an outside bank was brought to the Central bank for redemption.

Many people in the line expressed the intention of closing their account because of stories in circulation as to the soundness of the Central bank itself, although the bankers issued vehement denials of the rumors.

The Central bank is the pivot organization of a chain composed of most of the state banks, but already the papers of six outside banks has been refused on account of lack of funds in the Central. It is assumed that the paper of others will be refused when their deposits have been exhausted.

CHIEF JUDGE RETIRES

Albany, N. Y., Dec. 15.—This was Chief Justice Edgar M. Cullen's last active day as a member of the court of appeals. While his term does not expire until December 31, he planned to retire after aiding to dispose of today's calendar. Judge Cullen was the presiding officer of the Suizer impeachment court.

MEN ENTOMBED IN COAL MINE

Explosion in Rocky Mountain Fuel Company Mine, Vulcan, Wrecks Tunnel.

THIRTY-EIGHT KILLED

Helmet Men Exploring—All Believed Dead—No Hope of Others Being Alive.

New Castle, Colo., Dec. 15.—Thirty eight men, practically all Americans entombed, with practically no hope of finding any alive, was the statement of officials at 2 o'clock this afternoon as to the results of the explosion in the Vulcan mine at 10:20 this morning. The officials also expressed the view that the explosion was caused by dust.

Several bodies were found by the rescue party headed by Superintendent Charles S. Meerdink. Three brought to the surface are: WALLACE BAXTER, STARBUCK, FILSO, an Italian.

Superintendent Meerdink, who came out of the workings early this afternoon, said that his party had penetrated to the face, that many bodies had been found and conditions were such that he had no hope of recovering any alive.

All entombed miners were married, say mine officials.

A number of men were in the upper workings, which are reached by a long incline from the tipple, at the time of the explosion. These had been found and conditions were such that he had no hope of recovering any alive.

At 1:15 this afternoon, two bodies had been rescued.

New Castle was the scene of the first mine disaster in Colorado, in 1889, when 75 men were killed in the Santa Fe mine.

Rescuers Ordered to Mine.

Denver, Colo., Dec. 15.—News of the mine explosion at New Castle was received by telephone at the United States mines bureau here at noon. J. H. Rogers, in charge of mine rescue work in the Rocky mountain district, is at Cripple Creek, superintending the work in connection with the recent rock slide in the Golden Cycle mine. A telegram was at once sent to him, instructing him to proceed at New Castle at once.

The mine bureau also sent orders to dispatch one of its mine rescue cars from Wyoming to New Castle. James Daily, state inspector of coal mines, expected to start for New Castle at 5 o'clock this evening, with three deputies.

SCHMIDT DENIES
BEING INSANE

Priest Vehemently Shouts Protest and Brandishes Fists at His Counsel.

New York, N. Y., Dec. 15.—Hans Schmidt sprang to his feet in the court room today and vehemently denied his counsel's statement that he was insane when he killed Anna Anauiler.

"It's a lie," he shouted, brandishing his fists, "I protest against that." The prosecution rested its case at the murder trial today and Judge W. M. K. O'Leary, for the defense, outlined the insanity plea in his opening address to the jury.

"I will show," he said, "that this defendant had been for many years, is now, and always will be, mentally unbalanced."

He was interrupted by the outburst from the prisoner.

The defense will lay stress on the evidence of Schmidt's irrationality shown since his arrest and during the trial and on the testimony regarding his mental condition presented by members of his family and alienists.

WILSON WILL URGE
U. S. FAIR BUILDING

Washington, Dec. 15.—President Wilson today promised Charles C. Moore, president of the Panama-Pacific exposition, that he would soon send a special message to congress urging a government building at the fair. Mr. Moore was the president's only unofficial caller.

GOVERNOR GRANTS PARDONS

Springfield, Ill., Dec. 15.—Maurice Eubank, sentenced to life imprisonment in the Joliet penitentiary for the Vincent Altman murder in Chicago, and Josiah Todd, the former Chicago policeman who escaped serving a penitentiary sentence through a clerical error, were pardoned today by Governor Dunne.

Basket Ball

WEBER ACADEMY
V.S.
GRANITE HIGH SCHOOL

Tomorrow Night, 8 o'clock, Weber Academy Hall. Admission 25c.